

Staff Variance Report  
For  
November 5, 2014 Commission Meeting

- “A” category = staff recommendation is for approval with no equal alternatives because of noncompliance is not adverse.
- “B” category = staff recommendation is for approval with equal alternatives as stated by the proponent.
- “C” category = reserved, meaning staff believes Commission needs to discuss entirety.
- “D” category = recommendation is for denial.
- “I” category = incomplete (with permission of the Chairman).
- “NVR” category = no variance required.

NOTE: All staff recommendations presume code statements on the variances by the applicant are correct, unless otherwise noted. This means that all code statements become conditions of the variances and, if not true, the variances would be subject to Commission sanction. All LBO and LFO responses that they have received a copy of the application for variance are in order, unless otherwise noted.

**Tabled Variances:**

- |          |    |  |                 |
|----------|----|--|-----------------|
| 14-09-01 | I  | <b>Country Meadow Amish School – South Whitley</b><br><i>Incomplete.</i><br>Tabled by Commission, no proponent. <b>Tabled by Commission, no proponent.</b>   | Project #361533 |
| 14-09-13 | C  | <b>Two Concourse at Cross Point – Fishers</b><br>The code requires a fire alarm system employing a DACT to have a back-up system. The request is to not provide the back-up system. The proponent advises the IP monitoring system channel is required to check connection once an hour. The current system checks connection approximately every 30 seconds. The proponent states the hardship is installing a standard phone line that would not benefit the safety or reliability of the system. What is the hardship of not providing a backup system? Tabled at request of the proponent. <b>Tabled at request of the proponent, to provide more information about cell phone monitoring system in NFPA 72, 2013 edition.</b> | Project #366216 |
| 14-10-04 | CI | <b>CV East LLC – Marion</b><br><i>The code prohibits the use of maglocks on means of egress doors.</i> The request is to install an RCI 3360 cushion lock on one half of the double door that leads from the main lobby to the office area. The proponent states the office side of the door will have a trex exit sensor on the ceiling and an emergency manual pull station to disconnect power from the fail safe lock. The hardship is trying to keep the facility safe and secured. <b>Tabled by Commission, no proponent.</b>  | Project #364993 |

- 14-10-05 AI **River Forest Elementary – Hobart**  
*The code requires all systems or parts of all buildings and structures to be maintained in conformance with the applicable rules of the commission in effect when the system was installed or altered.* The request is to remove outdated fire hoses and nozzles. The proponent states 1½” NST hose connections and caps on the valves will be provided throughout the school so that the fire department can connect their own hoses and nozzles. **Tabled by Commission, no proponent.**
- 14-10-06 AI **Meister Elementary - Hobart**  
*Same as 14-10-05* **Tabled by Commission, no proponent.**
- 14-10-07 AI **Evans Elementary – Hobart**  
*Same as 14-10-05* **Tabled by Commission, no proponent.**
- 14-10-08 I **Kimbell Building – French Lick**  
 Information incomplete. **Tabled by Commission, no proponent.**
- 14-10-15 C **Faith Church West Expansion – Dyer**  
 The code requires a group A-3 unlimited area building to be one story. The request is to allow a group A-3 two story building to be classified as an unlimited area building. Per the proponent, the current first floor area is 60,700 sq ft requesting an addition of 30,800 sq. ft. The second floor is currently 25,000 sq. ft. requesting an addition of 30,800 to be considered for an unlimited area two story building. The nature of non compliance stems from the fact that when the proposed two level addition is integrated with the existing facility it would take the exiting building out of code compliance because existing floor to floor height is 14’0. The hardship is the cost to provide a fire wall barrier of 38’ high by 360’ long. The other option would be to raise the grade two feet and eliminate required doors for two exists and two proposed classroom exits. How does this currently comply as an A-3 with 14’ ceilings under the code of record? Is this building fully sprinklered throughout? **Tabled at request of the proponent, to provide more detailed plans, including a site plan, and possible additional alternatives.**
- 14-10-19 D **Meadow Springs – Medaryville**  
*The code requires installation of an NFPA 13 fire suppression system.*  
 The request is to not install the fire suppression system. Per the proponent, construction design of building will limit risk of fire. Building will be constructed of wood framing, with metal exterior, and fire retardant materials inside. No open flames or other combustible materials will be in the building. Extra doors are planned for quick evacuation, if needed. Large reception hall and kitchen facility are separated by connecting tunnels. Fire retardant materials will be used between kitchen and public areas. Portable fire extinguishers will be accessible in all areas. This new venue will bring jobs, business, and revenue to a small rural

community, but the cost of a sprinkler system would put the project in a price range that is not feasible for construction. What is the total cost of the project? What is the total cost of a fire suppression system? Is alcohol served? **Tabled for the proponent to provide a compliant plan and alternatives.**

14-10-25

**Grand Park Indoor Sport and Recreation Facility – Westfield**

- D (a) *The code requires the exit travel distance in A occupancies to be a maximum of 200 feet in buildings that do not have a sprinkler system provided throughout the building.* The request is to have a maximum of approximately 245 feet of exit travel distance. The building is a 371,645 sq. ft. recreation facility. The proponent advises the hardship is the egress travel distance cannot be less than indicated due to the size of the building. **Tabled for proponent, to provide exiting data.**
- D (d) *The code requires egress stairs in buildings to have an egress width of 0.3 inches per person if a sprinkler system is not provided throughout the building.* The request is to have an egress width of 0.2 inches per person for the egress stairs serving the mezzanine. **Tabled for the proponent to provide motion egress study.**

14-10-33 D

**9 on Canal - Indianapolis**

*The code does not permit any waste piping to be installed above any eating surfaces in food service establishments.* The request is to allow waste piping to be above a suspended ceiling in a food service establishment. Per the proponent, the waste lines will be above a suspended ceiling. The hardship is the drain lines are installed as part of the build-out for finished areas above the Canal level, and cannot be relocated at this stage of construction. Why can there not be a pan built under the waste lines to protect the waste from going through the ceiling in the event of a failure? **Tabled for proponent to determine whether the actual construction will be compliant.**

14-10-47 C

**Brown Elementary School Life Skills - Brownsburg**

*The code requires egress doors to be readily operable from the egress side without the use of a key or special knowledge or effort.* The request is to allow delayed egress hardware to be installed, Per the proponent, the hardware will meet the requirements of 1008.1.8.6 .Two recently renovated special education classrooms are each equipped with an exterior door to meet the required two means of egress from each space. The door will be re locked manually. A similar variance had been approved, 13-10-48. Provisions of the delayed egress feature will permit staff to reach the students and ensure their safety, before the students are able to exit the building unsupervised. **Tabled by Commission no proponent.**

## New Variance

- 14-11-01      C I      **Boonville High School – Boonville**  
*The code requires all walls and stair materials to be noncombustible in an E occupancy of II –B construction. The request is to have combustible materials in the mass media room, screen printing room, rooms 508, 317 and the technology lab. Per the proponent, these areas are low traffic spaces or storage and fire retardant coverings can be used to ensure health, safety and welfare. The cost to bring these areas up to compliance will cause other updates and academic areas to suffer. There will be an interruption in the educational process. What fire retardant will be added? Why weren't these built correctly? What is the cost to comply?*
- 14-11-02      C      **Restoring Hope Community Church – Indianapolis**  
*The code requires an automatic sprinkler system to be provided in Group A-3 occupancies that have a fire area that exceeds 12,000 sq. ft. or contains a fire area with an occupant load of 300 or more. The request is to not install the sprinkler system. The proponent states the hardship is the cost to install the sprinkler system. What is the cost? What is the sq. ft. of the building and the calculated occupant load?*
- 14-11-03      I      **Trans Montaigne Fire Foam Removal – Evansville**  
Incomplete
- 14-11-4      C      **Indianapolis Lighthouse Charter School – Indianapolis**      Project #365598  
*The code requires that all valves controlling the water supply for automatic sprinkler systems, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems to be electrically supervised. The request is to not have the gate valve supervised. The proponent advises there was not a yard post indicator valve installed on the gate valve due to field restraints. The gate valve lands within the existing parking lot. A yard box was installed. Per the proponent, the gate valve is a dedicated incoming line for the fire suppression system. The fire suppression system is monitored and there are control valves installed at the spigot location which are monitored. There are also water pressure gauges and flow switches with tampers to ensure that the water supply is active. Is this a local ordinance? What is the position of the local fire official?*
- 14-11-05      DI      **Madison County Board of Commissioners – Anderson**  
*The code requires a fire suppression system to be installed in an institutional Group 1 facility. The request is to not install a fire suppression system and to remove fire rated doors for security purposes. Per the proponent, the facility is a women's work release center with 40 beds, it will be manned 24 hours by an*

officer. This is a temporary housing unit until a permanent facility is completed. What alternatives are they offering? What is the time line for the permanent facility to be completed?

- 14-11-06      DI      **Still Water Camp Fuel Tank- Lexington**  
*The code requires all above ground tanks used for Class 1 liquids to be listed and labeled to U.L. 2085. The request is to install a 550 gallon Class1 liquid storage tank that is listed to U.L. 142. Per the proponent, the tank is on a remote site of a 172.5 acre church camp site and is not accessible by the public. The closest residential properties are 876', 892' and 934' respectively from proposed tank location. The proposed double wall tank is within the required NFPA 30A Chapter 13 Standard as opposed to the Indiana Fire Code Standard. The cost difference to install a UL 2085 tank is \$2000.00 more than a U.L. 142 tank? What is the fuel being used for the camp?*
- 14-11-07      DI      **Henry Poor Storage Building Addition – Lafayette**  
*The code requires all Group S-1 occupancies that exceed 12,000 sq. ft. to have a fire suppression sprinkler system installed throughout the building. The request is to allow an existing building to be converted from Type V-B construction by demolishing an existing wood mezzanine and bathroom and then rebuild it out of metal and add an addition of 8,580 sq. ft onto the existing 6,600 sq. ft., making the total 15, 180 sq. ft. No bulk lumber will be stored in the building. Storage will consist of windows, doors, vinyl siding, cultured stone, insulation board, and composite deck railing. The storage facility is 60 'from the main facility and is minimally occupied. The 6,6000 sq. ft building is un-sprinklered. A new water service would be required to the building in order to support a sprinkler system. The main building is sprinklered. What will be the new construction Type? What is the cost of the sprinkler system?*
- 14-11-08      I      **Casa Finale Bed & Breakfast – Evansville**  
Incomplete

**Online**

- 14-11-09      A      **Stonecutters Place Apartments – Bedford**  
*The code requires rooms to be separated from fire rated corridors with 1-hour fire partitions and 20-minute doors.* The request is to allow an open community room, to the 1 hour egress corridor, on the lower level of the existing building. Per the proponent, all dwelling units, laundry rooms, and other spaces will be separated from the corridor, with 1-hour rated construction as required. Per the proponent, the community room will not obstruct access to exits. The design of the corridor will comply with Sec. 28.3.6.6 of NFPA 101, Life Safety Code, which permits spaces to be open to the corridor, provided that the spaces are not used for sleeping rooms, the building is protected with a sprinkler system, and the space does not obstruct access to required exits. This request is similar to approved variances 06-11-47, 07-07-26(b), 08-06-34, and 08-12-21(a), 10-11-37(a), and 13-11-66(a) for residential and assisted living facilities; and 14-09-35(b) for a senior housing project similar to this project.
- 14-11-10      C      **Mimi Blue – Indianapolis**  
*The code requires sites, buildings, structures, facilities elements and spaces, temporary or permanent to be accessible to persons with physical disabilities.* The request is to allow an existing building to not have an accessible entrance. Per the proponent, this project is in an existing building with historically significant storefront at the entry. There is not enough latch side clearance per ANSI 404.2.3.1 for a front approach entry door. The Indianapolis Historic Preservation Commission will not allow alterations to the historically significant entry. The hardship is in order to meet the code requirements, the existing storefront would need to be entirely rebuilt which would be both an undue financial hardship and would prevent the preservation of the historically significant part of the building. Why is the current code being applied to an existing building?
- 14-11-11      D      **Indy Storage Depot - Indianapolis**  
*The code requires a fire hydrant to be located within 400 feet of all portions of a building.* The request is to not provide the fire hydrant. The proponent advises that this is a 16,000 sq. ft. Type V-B construction self storage building and that variance #14-03-23(a) for this issue was granted based upon a condition that a hydrant be provided just inside the subject property. This building will not have that hydrant. Per the proponent, a new drive lane will be provided with direct access to the back of the property. The current property does not have a linear drive lane access to the back of the property. The proponent states the hardship is providing a hydrant just inside the property will cost \$35,000.
- 14-11-12      VOID

- 14-11-13 C **Omni Source Material Canopy - Fort Wayne**  
*The code requires a four hour fire wall separation between the building and addition.* The request is to allow an existing F-1/S-1 Occupancy, Type II-B construction addition (per Section 503.1.2) of 2,412 sq. ft. to the existing F-1/S-1 occupancy, Type II-B construction building of 166,075 sq. ft. to not be separated with the required four hour fire wall. The addition is 1.4% of the existing building. The canopy part of the addition will not be attached to the existing building that is protected with an automatic fire suppression system throughout, except for a small portion. The addition will be protected with an automatic fire suppression system per NFPA 13, 2010 Edition. The owner's undue hardship involves the cost of installing a four hour fire wall for a small addition. The request to allow the canopy to be considered as part of the existing building is due to the need for openings to access the canopy from existing building. 25 feet openings are not permitted. The canopy addition will store wiring for recycling that will be bare and sheathed wiring. The wiring will be contained within 10 feet high concrete bins.
- 14-11-14 C **Sweetwater 2014 Dining Expansion - Fort Wayne**  
*The code requires a 4 –hour structurally independent fire wall separation between the building assembly area and an accessory area.* The code requires that aggregate accessory occupancies not occupy more than 10% or exceed the tabular values in Table 503. The request is to allow an existing two story sprinkled building of Type II-B construction with approximately 287,500 square feet and designed as an unlimited area building to have non-separated accessory use assembly areas that will exceed the 10% limitation and tabular area permitted by the code. All assembly areas are located on the first floor. The new assembly area is 8,743 square feet. The total area of accessory assembly space will be 13.2% of the total area of the first floor. Per the proponent, the owner's undue hardship is the desire to have an unlimited area building of Type II-B construction without the cost and inconvenience of providing a structurally independent four hour fire walls to separate the accessory assembly use groups from the rest of the building.
- 14-11-15 AI **ICLEF Office Building Hose Removal – Indianapolis**  
*The code requires fire hose systems to be inspected annually.* The request is to remove the hoses. Per the proponent, the fire department requested that the hose be removed for ease of fire department connectivity. The proponent states the hardship is maintaining the existing hose is not cost effective since the fire department will not use the hose.
- 14-11-16 CI **Willows on Clark Road Apartments – Gary**  
 Paper  
*The code requires fire hose systems to be inspected annually.* The request is to remove the fire hoses and install brass couplings so that the fire department may connect their own hoses. Per the proponent, the cost of replacement hoses and nozzles puts the budget in an operating deficit, along with constant theft of the hoses. What is the position of the local fire official?

- 14-11-17 C **Hacienda apartments – Indianapolis**  
*The code requires ceiling height in the hallway of dwelling units to be a minimum of 7'6".* The request is to have a ceiling height of 7'2" in a 3'0" x 3'0" section of the hallway within each first floor unit in order to accommodate a new 4" flex duct that supplies air to the kitchen and bath. Per the proponent, the code permits bathrooms, kitchens, storage, and laundry rooms to have a minimum ceiling height of 7'0". The hallway is adjacent to the kitchen, bathroom, and laundry room. The proponent states the hardship is having to position the new 4" flex duct within the existing cavity. The flex duct is needed in order to provide air to the kitchen and bathroom.
- 14-11-18 B **Indiana Transportation Museum – Fishers**  
*The code requires that temporary tents, air supported, air- inflated or tensioned membrane structures and canopies not be erected for a period of more than 30 days within a 12 month period.* The request is to use a 40' x 40' tent for approximately 40 days. The duration of use includes weekly inspections (additional as needed) by tent provider-American Tent. The tent will be used as waiting space, gift shop and a will-call ticket pick up area. Per the proponent, additional inspections by Fishers Fire Department will be done as needed. Additional safety checks will be provided on the tent equipment. Additional tent tie downs will be added, tent will be limited to 25 chairs with no tables for waiting area, and the tent is less than 500 yards from the Fishers Fire Department. Severe weather (wind and snow) plan is on file with Town of Fisher and on site. The Indiana Transportation Museum wishes to use the tent on multiple days during November and December of 2014, while the train station owned by the Town of Fishers was demolished in August 2014. Moving the arrival and departure location to the tent allows the ITM to continue to use the Fishers area for a train stop location.
- 14-11-19 C **B.A.S.E. Fitness Parkour – Fishers**  
*The code allows Type II-B construction buildings to have fire-retardant treated wood on nonbearing partitions where the required fire-resistance rating is 2 hours or less.* The request is to have wood bearing walls that are not fire-retardant treated, to support the newly wood platform mezzanine that contains two small rooms. Per the proponent, this building is an existing building, and is Type II-B construction, with a full ESFR sprinkler system. A Construction Design Release was never issued for this work. Per the proponent, the hardship is the cost to have the mezzanine and rooms removed and replaced with a new system. What is the cost?



14-11-20

(a)(b)(c)

**Chef JJ's Renovation/Addition – Indianapolis**

D

(a) *The code requires that delayed egress locks not be installed in occupancies of Group A, E, and H.* The request is to allow delayed egress locks in an A-2 occupancy. Per the proponent, the owner desires to secure their office and storage area with a delayed egress door. The delayed egress door is in an exit access corridor. This facility is not a public facility in which it is open to the public at all times. It is a reservations only type of facility in which groups have made advance reservations to occupy the space. Therefore, the total occupant load of the space is much more predictable than in typical restaurant occupancy. Based on the building occupant load, the number of occupants proposed to exit through this delayed egress door would be less than 100. The distance of travel from the point of the delayed egress door to the exterior door of the building is only 30'. The reason the owner would like a more secure access point is to ensure that patrons of the dining facility are not freely able to access the office and basement storage areas of the building. The delayed egress feature allows for staff to be notified of a breach and to reach the point of breach before an unauthorized person has a chance to access the office / staff areas. Why haven't other boundaries been explored?

D

(b) *The code requires interior exit stairs to be enclosed with fire barriers in accordance with Section 706.* The request is to allow the owner to have a monumental open stair and only one exit from a small conference room and rooftop garden. Per the proponent, the owner desires to construct a small conference room and rooftop garden with a total occupant load of no more than 49 occupants on the roof (second floor) of the existing building. The rooftop area by occupant load is allowed to have only one means of egress, however, a monumental open stair is only allowed by exception 9 provided that "two means of egress are provided from both floors served by the unenclosed stairway(s)." The unenclosed stairway is located in the lobby with close proximity to the main entrance / exit of the building. The common path of egress travel from the second floor to the bottom of the stair is no more than 40' (including the stair run) and the total path of travel (including common) to the nearest (main) and farthest (west) exits is 82' and 140', respectively. Because of the ability to schedule the uses of the building, specifically the roof / 2nd floor, the assurance of limiting the second floor and roof to < 49 occupants, and the proximity to the entrance of the building, the available square footage for the building addition is already constrained greatly by the site conditions. The linear distance available for connecting the existing building and new addition is limited and it has to function as both a dining room connection as well as an exit access and service connection. The existing building's structure makes punching openings between the two spaces difficult and is limiting the layout. Enclosing the stair to the second floor / roof would cramp the lobby in such a way that it would not only appear much more confined but it would physically result in a space that would not function well as a lobby. Exiting protection must be priority and other options be explored.

D

(c) *The code does not permit a platform lift to serve as part of an accessible means of egress, except where allowed as part of a required accessible route in*

*section 1109.7.* The request is to allow a platform lift to be used as an accessible means of travel and to not comply with Section 1007.5. Per the proponent, site and building layout constraints make the use of the wheelchair lift a prudent choice for providing accessibility to the new addition, but none of the 10 exceptions listed in 1109.7 (referenced in 1007.5) allow in a clear manner for this lift to comply with an accessible means of egress. Limited space of the building's interior layout, are being squeezed to accommodate as much dining and service area as possible.